

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department - Allegations of irregularities in execution of road work from P.I. palli to Jailapur in Nalgonda District under EAS during the year 1996 against Sri M.A. Gaffar, formerly Dy.Executive Engineer, Panchayat Raj (Retd.) - Imposition of penalty of 5% (five percent) cut in pension permanently besides recovery of Rs.37,240/- loss caused to Government, under A.P.Revised Pension Rules, 1980 - Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Ms.No. 166

Dated:10.05.2010.

Read the following:-

1. Govt. Memo No.35973/Estt.I(1)/98-3, PR & RD (Estt.I) Dept., Dt. 09.04.1999.
2. Written Statement of Defence of Sri M.A. Gaffar, Dy.EE (PR), Dt. 08.07.1999.
3. G.O.Rt.No.1793, PR & RD (VS.I) Dept., dt.08.11.2002.
4. G.O.Rt.No.1287, PR & RD (VS.I) Dept., dt.02.09.2003.
5. G.O.Rt.No.659, PR & RD (VS.I) Dept., dt. 03.04.2004..
6. From the C.O.I., GAD, Letter No.422/COI.PCP/2002-3, dt.27.02.2003.
7. Govt. Memo No.112/Vig.I/2001-3, PR & RD (Vig.I) Dept.,dt.23.11.04.
8. From Sri M.A. Gaffar, Dy.EE (PR), (Retd.), dt. 02.02.2005.
9. Govt. Memo No.112/Vig.I/2003-10, PR & RD (Vig.I) Dept.,dt.21.09.06.
10. From Sri M.A. Gaffar, Dy.EE (PR) (Retd.), dt.16.10.2006.
- 11.Govt.Letter No.112/Vig.I/2003-16, PR & RD (Vig.I) Dept.,dt.25.04.09.
- 12.From the Secretary, APPSC, Hyderabad Lr.No.563/RT-I/1/2009, dt.28.08.2009.

ORDER:

In the reference 1st read above, charges were framed under Rule 20 of A.P.C.S. (CC&A) Rules, 1991 against Sri M.A. Gaffar, formerly Dy.Executive Engineer, Panchayat Raj, Halia, Nalgonda District, on the allegations of irregularities in execution of road work from P.I. palli to Jailapur in Nalgonda District under EAS during the year 1996. In the reference 2nd read above, the Charged Officer has submitted his written statement of defence.

2. After examining the written statement of defence, the disciplinary case was entrusted to Commissioner of Inquiries, General Administration Department under Rule 20 (2) of A.P. Civil Services (CC&AI) Rules, 1991 against Sri M.A. Gaffar, Dy.EE, PR, along with (2) others for conducting detailed inquiry on the charges framed, vide reference 3rd read above and modified orders were issued changing the Inquiry Officer as well as Presenting Officer vide references 4th and 5th read above respectively.

3. In the reference 6th read above, the Inquiry Officer has submitted his inquiry report and in his findings has held that in the light of the charged officer having pleaded guilty and offering to pay proportionate loss caused to Govt., the charges levelled against him stand established.

4. After examining the matter, in the reference 7th read above, while communicating a copy of inquiry report, Sri M.A. Gaffar, formerly Dy.EE, PR (Retd.) has been directed to submit his representation, if any, on the inquiry report. In the reference 8th read above, the Charged Officer has submitted his representation.

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5. After examining the matter, it was provisionally decided to impose a penalty of 5% (five percent) cut in pension permanently besides recovery of Rs.37,240/- loss caused to Government against Sri M.A. Gaffar, Dy.Executive Engineer, Panchayat Raj (Retd.) under A.P. Revised Pension Rules, 1980. While communicating the above said provisional decision, a show-cause notice has been issued to Sri M.A. Gaffar, Dy.Executive Engineer, Panchayat Raj (Retd.), under Rule 9 of A.P. Revised Pension Rules, 1980, vide reference 9th read above. The C.O. has submitted his explanation to the show-cause notice in the reference 10th read above.

6. As his explanation is not convincing, in the reference 11th read above, the Andhra Pradesh Public Service Commission, Hyderabad has been consulted on the proposed punishment.

7. The Andhra Pradesh Public Service Commission, Hyderabad, in the reference 12th read above, has observed that the charged officer is a supervisory officer and has to look after many works under his control and it is not possible to check measure each and every work personally. But he cannot escape from his responsibility in controlling irregularities committed by his subordinates and loss caused to Government exchequer. Therefore, the Commission has advised to impose penalty of 5% cut in pension for 10 years besides recovery of Rs.37,240/- against Sri M.A. Gaffar, Dy.EE (Retd.).

8. Government have examined the matter and observed that as the charged officer having pleaded guilty and offering to pay proportionate loss caused to Govt., the charges levelled against him stand established. Keeping in view the above position, Government have decided to disagree with the advice of A.P.P.S.C. and hereby order to impose penalty of 5% (five percent) cut in pension permanently besides recovery of Rs.37,240/- loss caused to Government, against Sri M.A. Gaffar, Dy. Executive Engineer, Panchayat Raj (Retd.), under A.P.Revised Pension Rules, 1980.

9. The Engineer-in-Chief, Panchayat Raj, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M.A. Gaffar, Deputy Executive Engineer, Panchayat Raj, (Retd.) through
Engineer-in-Chief, Panchayat Raj, Hyderabad.
The Engineer-in-Chief, Panchayat Raj, Hyderabad.
(with a request to serve and furnish the dated acknowledgement immediately)

Copy to:

The G.A. (V&E) Dept.

(w.r.t.U.O.Note No.593/V&E/E2/98-1, dt. 22.09.1998)

The Secretary, A.P. Vigilance Commission, Hyderabad.

(w.r.t. Lr.No.262/VC.G1/2002, dt. 12.06.2006 & 26.11.2008)

The Secretary, A.P. Public Service Commission, Hyderabad.

The Accountant General, Andhra Pradesh., Hyderabad.

SF/SCs.

//FORWARDED:BY ORDER//

SECTION OFFICER